

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE

DAMIEON B. RASPBERRY,	)	
	)	
Plaintiff,	)	
	)	
VS.	)	No. 12-1209-JDT-egb
	)	
KENNETH THOMPSON, et al.,	)	
	)	
Defendants.	)	

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ORDER ADOPTING REPORT AND RECOMMENDATION  
OF MAGISTRATE JUDGE FOR PARTIAL DISMISSAL  
AND  
SERVICE OF PROCESS ON REMAINING CLAIMS

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On July 12, 2013, Magistrate Judge Edward G. Bryant issued a report and recommendation that the *pro se* amended complaint that was filed in this matter be partially dismissed for lack of subject-matter jurisdiction and for failure to state a claim upon which relief can be granted pursuant to 28 U.S.C. § 1915(e)(2) and Local Rule 4.1.(a) and that service of process issue on the remaining claims.

No objection has been filed. Consequently, the report and recommendation is ADOPTED in its entirety. The claims against the Henderson County Sheriff's Department, Count II, all claims brought pursuant to the Fourteenth Amendment, Count III against Defendant Kenneth Thompson in his official capacity, and the claim for punitive damages against Defendant Thompson in his official capacity are hereby DISMISSED.

It is ORDERED that the Clerk shall issue process for Defendant Kenneth Thompson

and deliver said process to the marshal for service. Service shall be made on the individual defendants either by mail pursuant to Rule 4(e)(1) and Tenn. R. Civ. P. 4.03 and 4.04(10) or personally pursuant to Rule 4(e)(2) if mail service is not effective. All costs of service shall be advanced by the United States.

It is further ORDERED that Plaintiff shall serve a copy of every further document filed in this cause on the attorney for the defendant, or on defendant if he has no attorney. Plaintiff shall make a certificate of service on every document filed. Plaintiff shall promptly notify the Clerk of any change of address or whereabouts. Failure to comply with these requirements, or any other order of the Court, may result in the dismissal of the case without further notice.

IT IS SO ORDERED.

s/ **James D. Todd**  
JAMES D. TODD  
UNITED STATES DISTRICT JUDGE